

MESSAGE NO: 9091205 MESSAGE DATE: 04/01/2009

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE 9086202
MESSAGE #
(s):

CASE #(s): A-201-822

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 07/01/2006 TO 06/30/2007

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: LIQUIDATION INSTRUCTIONS FOR STAINLESS STEEL SHEET AND STRIP IN COILS FROM MEXICO (A-201-822);FOR THYSSENKRUPP MEXINOX. LIFTING OF SUSPENSION 02/09/09, NAFTA BI-NAT.

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CASES: A - 201 - 822

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PERIOD COVERED: 07 01 2006 TO 06 30 2007

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQUIDATION INSTRUCTIONS FOR STAINLESS STEEL SHEET AND STRIP IN COILS FROM MEXICO (A-201-822);FOR THYSSENKRUPP MEXINOX. LIFTING OF SUSPENSION 02/09/09, NAFTA BI-NAT.

1. IN ACCORDANCE WITH CUSTOMS MESSAGE NUMBER 9086202 (03/27/2009), DO NOT LIQUIDATE ENTRIES OF STAINLESS STEEL SHEET AND STRIP IN COILS FROM MEXICO PRODUCED AND EXPORTED BY THYSSENKRUPP MEXINOX S.A. DE C.V., AND ENTERED OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THE PERIOD 07/01/2006 THROUGH 06/30/2007.

2. FOR ALL SHIPMENTS OF STAINLESS STEEL SHEET AND STRIP IN

COILS FROM MEXICO PRODUCED BY ENTITIES OTHER THAN THYSSENKRUPP MEXINOX S.A. DE C.V. AND EXPORTED BY THYSSENKRUPP MEXINOX S.A. DE C.V., ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THE PERIOD 07/01/2006 THROUGH 06/30/2007, ASSESS ANTIDUMPING DUTIES AT THE ALL-OTHERS RATE OF 30.85 PERCENT FOR STAINLESS STEEL SHEET AND STRIP IN COILS FROM MEXICO. SUCH ENTRIES MAY HAVE ENTERED UNDER CASE NUMBER A-201-822-001.

3. FOR ALL SHIPMENTS OF STAINLESS STEEL SHEET AND STRIP IN COILS FROM MEXICO PRODUCED BY THYSSENKRUPP MEXINOX S.A. DE C.V. AND EXPORTED BY ENTITIES OTHER THAN THYSSENKRUPP MEXINOX S.A. DE C.V., ENTERED OR WITHDRAWN FROM WAREHOUSE FOR CONSUMPTION DURING THE PERIOD 07/01/2006 THROUGH 06/30/2007, ASSESS ANTIDUMPING DUTIES AT THE ALL-OTHERS RATE OF 30.85 PERCENT. SUCH ENTRIES MAY HAVE ENTERED UNDER CASE NUMBER A-201-822-001.

4. FOR ALL ENTRIES NOT COVERED BY PARAGRAPHS ONE, TWO, AND THREE, SEE CUSTOMS AUTOMATIC LIQUIDATION INSTRUCTIONS MESSAGE NUMBER 7284207 (10/11/2007).

5. NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF SUBJECT MERCHANDISE DURING THE PERIOD 07/01/2006 THROUGH 06/30/2007 OCCURRED WITH THE PUBLICATION OF THE FINAL RESULTS OF ADMINISTRATIVE REVIEW (74 FR 6365, 02/09/2009). FOR ALL OTHER SHIPMENTS OF STAINLESS STEEL SHEET AND STRIP IN COILS FROM MEXICO YOU SHALL, UNLESS OTHERWISE INSTRUCTED, CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES.

6. THE PENDING BI-NATIONAL PANEL REVIEW, IN CUSTOMS MESSAGE NUMBER 9086202 NOTED IN PARAGRAPH ONE, IS APPLICABLE TO THE ENTRIES OF STAINLESS STEEL SHEET AND STRIP IN COILS FROM MEXICO PRODUCED AND EXPORTED BY THYSSENKRUPP MEXINOX S.A. DE C.V. DURING THE PERIOD 07/01/2006 THROUGH 06/30/2007. ACCORDINGLY, UNTIL FURTHER NOTICE, CONTINUE TO SUSPEND LIQUIDATION OF THESE ENTRIES UNTIL LIQUIDATION INSTRUCTIONS ARE PROVIDED.

7. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CUSTOMS AND BORDER

PROTECTION (CBP) ON ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930.

SECTION 778 REQUIRES THAT CBP PAY INTEREST ON OVERPAYMENTS AND ASSESS INTEREST ON UNDERPAYMENTS OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE PAYMENT OF ESTIMATED ANTIDUMPING DUTIES IS REQUIRED THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

8. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CBP SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT AS DESCRIBED IN SECTION 351.402(f)(2) OF THE COMMERCE DEPARTMENT REGULATIONS. THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION OF THE ENTRY.

IF THE IMPORTER CERTIFIES THAT IT HAS AN AGREEMENT WITH THE MANUFACTURER, PRODUCER, SELLER OR EXPORTER TO BE REIMBURSED ANTIDUMPING DUTIES, CBP SHOULD DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION.

ADDITIONALLY, IF THE IMPORTER DOES NOT PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, CBP SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES DUE.

9. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE

CONTACT DAVINA HASHMI OR RON TRENTAM AT OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY O7: MB).

10. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

CHRISTINE FURGASON/

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party